

**REMARKS**

Claims 1, 3-9, 11-19, 21-27, and 29-36 are pending in the application. Claims 1, 3-9, 11-19, 21-27, and 29-36 are rejected. Applicant respectfully requests allowance of the claims and consideration of the following remarks.

**Rejections Based Upon 35 U.S.C. § 102(e)**

Claims 1, 5-9, 11, 12, 15-19, 23-27, 29, 30 and 33-36 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,137,800 (Wiley). The applicant respectfully traverses the rejections for at least the following reasons.

Claim 1 requires, in part, a first interworking unit configured to receive voice-band communications and a first control message, determine if initial voice-band processing is required, perform the initial voice-band processing if required, convert the voice-band communications into asynchronous communications with an identifier *and with a processing indicator* indicating if the initial voice-band processing was performed, and transfer the asynchronous communications. Wiley fails to disclose a first interworking unit that converts voice-band communications into asynchronous communications with an identifier *and with a processing indicator* indicating if initial voice-band processing was performed. Rather, Wiley discloses a first interworking unit 202 operational to convert voice-band communications to asynchronous communications with an identifier. Wiley also discloses performing voice-band processing (digital signal processing), such as echo cancellation or continuity testing (Wiley, col. 12, lines 21-24 and col. 20, lines 3-13). However, the asynchronous communications of Wiley do not include a processing indicator indicating whether or not the voice-band processing was performed, as required by claim 1. Wiley also fails to teach or suggest including a processing indicator with the asynchronous communications. Claim 1 is therefore allowable over Wiley.

Independent claims 11, 19, and 29 contain limitations similar to those of claim 1 and are therefore also allowable over the art of record for at least the same reasons as claim 1. The applicant refrains from a discussion of the dependent claims for the sake of brevity and in view of their dependence from otherwise allowable independent claims.

**CONCLUSION**

The claims in their present form are allowable over the art of record. The applicant therefore solicits their allowance.

  
**SIGNATURE OF PRACTITIONER**

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